

FILED

MAY 24 2013

**Board of Vocational Nursing
and Psychiatric Technicians**

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9 **BEFORE THE**
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. VN-2011-1582

12 **IRINA ARUTINOVA**
13 7329 Donna Avenue
14 Reseda, CA 91335

A C C U S A T I O N

15 Vocational Nurse License No. VN 235991

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this Accusation solely in
21 her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric
22 Technicians, Department of Consumer Affairs.

23 2. On or about August 8, 2008, the Board of Vocational Nursing and Psychiatric
24 Technicians (Board) issued Vocational Nurse License No. VN 235991 to Irina Arutinova
25 (Respondent). The Vocational Nurse License was in full force and effect at all times relevant to
26 the charges brought herein and will expire on October 31, 2013, unless renewed.

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1 extent that the use impairs his or her ability to conduct with safety to the public the practice
2 authorized by his or her license.

3 "(c) Be convicted of a criminal offense involving possession of any narcotic or dangerous
4 drug, or the prescription, consumption, or self-administration of any of the substances described
5 in subdivisions (a) and (b) of this section, in which event the record of the conviction is
6 conclusive evidence thereof."

7 **COST RECOVERY**

8 8. Section 125.3 provides, in pertinent part, that the Board may request the
9 administrative law judge to direct a licensee found to have committed a violation or violations of
10 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
11 enforcement of the case.

12 **FIRST CAUSE FOR DISCIPLINE**

13 **(Substantially Related Criminal Conviction)**

14 9. Respondent is subject to disciplinary action under section 2878, subdivision (f), in
15 that Respondent was convicted of a crime substantially related to the qualifications, functions or
16 duties of a licensed vocational nurse, as follows:

17 a. On or about May 7, 2012, after pleading nolo contendere, Respondent was convicted
18 of one misdemeanor count of violating Vehicle Code section 14601.2, subdivision (a) [driving
19 while driving privileges are suspended or revoked], in the criminal proceeding entitled *The*
20 *People of the State of California v. Irina Arutinova* (Super. Ct. Los Angeles County, 2012, No.
21 2VY01186). The Court sentenced Respondent to serve 30 days in Los Angeles County Jail and
22 placed her on probation for 36 months. The circumstances surrounding the conviction are that on
23 or about March 6, 2012, while under surveillance by the Los Angeles Police Department,
24 Respondent drove a vehicle while her driving privileges were suspended or revoked.

25 b. On or about February 21, 2012, after pleading nolo contendere, Respondent was
26 convicted of one misdemeanor count of violating Vehicle Code section 23152, subdivision (a)
27 [driving under the influence of alcohol or drugs] and one misdemeanor count of Vehicle Code
28 section 14601.5, subdivision (a) [driving while driving privileges are suspended or revoked] in

1 the criminal proceeding entitled *The People of the State of California v. Irina Arutinova* (Super.
2 Ct. Los Angeles County, 2012, No. 2VY00423). The Court sentenced Respondent to serve 10
3 days in Los Angeles County Jail and placed her on probation for 48 months. The circumstances
4 surrounding the conviction are that on or about January 14, 2012, Respondent displayed
5 symptoms of alcohol intoxication during a traffic stop by the Los Angeles Police Department.
6 Respondent, whose license had been suspended due to a prior alcohol related conviction,
7 submitted to a Preliminary Alcohol Screening (PAS) test on the scene which registered
8 Respondent's breath-alcohol content level at 0.093% on the first screening and 0.09% on the
9 second screening. Respondent was then arrested for violating Vehicle Code section 23152,
10 subdivision (a) [driving under the influence of alcohol or drugs] and Vehicle Code section
11 14601.2, subdivision (a) [driving while driving privileges are suspended or revoked].

12 c. On or about January 18, 2012, after pleading nolo contendere, Respondent was
13 convicted of one misdemeanor count of violating Vehicle Code section 23152, subdivision (b)
14 [driving while having 0.08% or more, by weight, of alcohol in her blood] in the criminal
15 proceeding entitled *The People of the State of California v. Irina Arutinova* (Super. Ct. Los
16 Angeles County, 2012, No. 1GN03808). The Court sentenced Respondent to serve 1 day in Los
17 Angeles County Jail and placed her on probation for 36 months. The circumstances surrounding
18 the conviction are that on or about September 10, 2011, during a traffic stop by the Glendale
19 Police Department, Respondent was contacted. While speaking to Respondent, the officer
20 detected an odor of an alcoholic beverage emitting from her and the vehicle. Respondent was
21 observed to have glassy, watery eyes. When asked if she had anything to drink, Respondent told
22 the officer she does not drink alcohol. Respondent later admitted to having a sip of her friend's
23 Mojito, a couple hours earlier. While at the scene, Respondent submitted to a PAS test that
24 registered her breath-alcohol content level at 0.134% on the first reading and 0.136% on the
25 second reading. Respondent was subsequently arrested for violating Vehicle Code section 23152,
26 subdivision (b) [driving while having 0.08% or more, by weight, of alcohol in her blood].

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1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Dangerous Use of Alcohol)**

3 10. Respondent is subject to disciplinary action under section 2878.5, subdivision (b), in
4 that Respondent used alcoholic beverages to an extent or in a manner dangerous or injurious to
5 himself, any person, or the public. Complainant refers to, and by this reference incorporates, the
6 allegations set forth above in paragraph 9, subparagraphs (b) and (c), inclusive, as though set
7 forth fully.

8 **THIRD CAUSE FOR DISCIPLINE**

9 **(Convictions Involving the Consumption of Alcohol)**

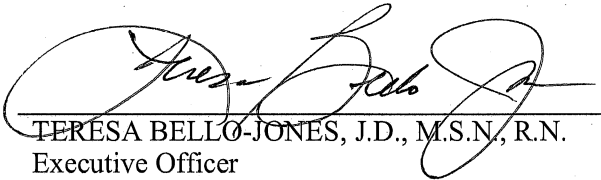
10 11. Respondent is subject to disciplinary action under section section 2878.5, subdivision
11 (c), in that Respondent was convicted of a criminal offense involving the consumption of alcohol.
12 Complainant refers to and by this reference incorporates, the allegations set forth above in
13 paragraph 9, subparagraphs (b) and (c), inclusive, as though set forth fully

14 **PRAYER**

15 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Board issue a decision:

- 17 1. Revoking or suspending Vocational Nurse License No. VN 235991, issued to Irina
18 Arutinoval;
- 19 2. Ordering Irina Arutinoval to pay the Board the reasonable costs of the investigation
20 and enforcement of this case, pursuant to section 125.3; and
- 21 3. Taking such other and further action as deemed necessary and proper.

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23 DATED: May 24, 2013

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TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer
Board of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
State of California
Complainant

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